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PTO/SB/05 (12/97)  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.63(b))

Attorney Docket No. 980072

Total Pages 2

First Named Inventor or Application Identifier

Ren Judkins

Express Mail Label No. EM203499395US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 32]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 5]
4. Oath or Declaration [Total Pages 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b,  
is considered as being part of the disclosure of the  
accompanying application and is hereby incorporated by  
reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure  
Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Request for Interference  
Declaration of Ren Judkins  
Declaration of Lynn J. Alstadt

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 08,756,282 and

18. CORRESPONDENCE ADDRESS Patent No. 5,630,898

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	Lynn J. Alstadt		
	Buchanan Ingersoll, P.C.		
ADDRESS	One Oxford Centre		
	301 Grant Street, 20th Floor		
CITY	Pittsburgh	STATE	PA
		ZIP CODE	15219
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## FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 2,706.00

### Complete If Known

Application Number	
Filing Date	
First Named Inventor	Ren Judkins
Group Art Unit	
Examiner Name	
Attorney Docket Number	980072

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number 02-4553
- Deposit Account Name Buchanan Ingersoll
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:
- ☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 790	201 395	Utility filing fee	790
106 330	206 165	Design filing fee	
107 540	207 270	Plant filing fee	
108 790	208 395	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1)			(\$ 790.00

#### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
81	-20 =	61 X 22 =	1342
10	-3 =	7 X 82 =	574
Multiple Dependent Claims		X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 22	203 11	Claims in excess of 20
102 82	202 41	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim
109 82	209 41	Reissue independent claims over original patent
110 22	210 11	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 2,706

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,510	218 755	Extension for reply within fourth month	
128 2,060	228 1,030	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,320	241 660	Petition to revive - unintentional	
142 1,320	242 660	Utility issue fee (or reissue)	
143 450	243 225	Design issue fee	
144 670	244 335	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	
149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____			
Other fee (specify) _____			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$)

### SUBMITTED BY

Typed or Printed Name Lynn J. Alstadt

Signature [Signature] Date 2/2/98

### Complete (if applicable)

Reg. Number 29,362

Deposit Account User ID 02-4553

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02/02/98



U.S. PTO

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER  
37 CFR 1.10 - SEPARATE PAPER

ATTORNEY'S DOCKET NO.

980072

IN RE APPLICATION OF

Ren Judkins

SERIAL NUMBER

FILED

FOR

PLEATED AND CELLULAR MATERIALS

GRP. ART UNIT

EXAMINER

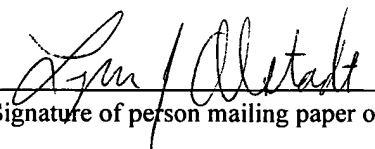
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Date of deposit February 2, 1998

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Washington, D.C. 20231.

Lynn J. Alstadt

(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

#3

## PATENT

x9726

In re application of

## PLEATED AND CELLULAR MATERIALS

REN JUDKINS

Serial No.: Unassigned; continuation-  
in-part of Serial No. 08/756,282,  
filed November 25, 1996

Filed: Herewith

St. re:  
Interference  
5-13-98

[illegible]

Pittsburgh, Pennsylvania 15219

February 2, 1998

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

## Request for Interference

Pursuant to 37 C.F.R. § 1.607, applicant respectfully requests that the Office declare an interference between the present application and United States Patent Nos., 5,692,550 and 5,701,940.

The claims of this application copy all of the claims in United States Patent Nos. 5,692,550 and 5,701,940. Applicant's claims 1 through 34 are the same as claims 1 through 34 of the '940 patent. Applicant's claims 35 through 81 correspond to and are presented in the same order as claims 1 through <sup>47</sup>~~37~~ of the '550 patent.

BY

This application is a continuation-in-part of United States Patent Application Serial No. 08/756,282, filed November 25, 1996. This application presents drawings, namely Figures 6 through 10, that are not presented in the parent application. Figures 6 and 7 show the tabbed cellular material attached between a headrail and a bottomrail with lift cords passing through the cellular material.

In the parent '282 application applicant amended his pending claims to copy claims from the '550 patent and the '940 patent which relate to tabbed cellular material that is not connected between a headrail and a bottomrail. To the extent that these claims are entered and found allowable in the parent application, applicant is willing to cancel them from this application.

#### **Suggestion of Proposed Counts**

Applicant suggests that the interference address counts corresponding to each of the independent claims. They are claims 1, 11, 12, 18, 25, 34, 35, 44, 58 and 81.

#### **Basis upon which applicant is entitled to a judgment relative to the patentee**

Submitted herewith are copies of a declaration of the applicant and a declaration of his counsel, Lynn J. Alstadt, filed by in the parent '282 application. Applicant's declaration alleges inventorship prior to the effective filing date of the '550 patent and the '940 patent which is March 10, 1994. Attached to both declarations is a drawing dated February 25, 1991, which shows all elements of the tabbed cellular material in the counts. Mr. Alstadt's declaration corroborates the drawing, reduction to practice and diligence. This evidence prima facie demonstrates that applicant is entitled to judgment on priority.

Conclusion

Since applicant has established that he is prima facie entitled to a judgment relative to the patentees of the '550 patent and the '940 patent, declaration of an interference is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL, P.C.

By Lynn J. Alstadt  
Lynn J. Alstadt  
Registration No. 29,362

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n